

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Consumer Financial Protection  
Bureau,

Case No.: 21-mc-19 (SRN/DTS)

Petitioner,

**ORDER TO SHOW CAUSE**

v.

Educational Credit Management Corporation,

Respondent.

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Petitioner Consumer Financial Protection Bureau (Bureau), having filed a Petition to Enforce Civil Investigative Demands (CIDs) against Respondent Educational Credit Management Corporation (ECMC), the Court having considered the Petition and documents filed in support thereof, and good cause having been shown, the Court being fully advised in this matter, and there being no just cause for delay:

**IT IS HEREBY ORDERED:**

1. Respondent ECMC shall appear on **September 2, 2021** at **9:00 a.m.**, before the below signed United States Magistrate Judge, in **Courtroom 9E**, located at 300 South 4th Street, Minneapolis, Minnesota, to show cause, if there be any, why an Order Compelling Compliance with the CIDs should not be granted in accordance with the Petition.

2. A copy of this Order, together with the petition, declaration, and its exhibits, shall be served in accordance with Rule 4(h) of the Federal Rules of Civil Procedure and 12 U.S.C. § 5562(e)(2) upon Respondent within 21 days of the date that this Order. Pursuant to Rule 4.1(a), the Court hereby appoints Maxwell Peltz, or any other person designated by the Bureau, to effect service in this case.

3. Proof of service completed pursuant to paragraph 1, above, shall be filed with the Clerk as soon as practicable.

4. Because the file in this case reflects a prima facie showing that the Bureau's CIDs (1) were issued pursuant to lawful authority, (2) were issued for a lawful purpose, (3) request information relevant to the lawful purpose, and (4) seek information and documents that are not unreasonable, the burden of coming forward to show that judicial enforcement would amount to an abuse of the Court's process has shifted to ECMC.

5. If ECMC has any defense to present or opposition to the Petition, such defense or opposition shall be made in writing and filed with the Clerk and copies served on counsel for the Bureau 21 days after ECMC has been served with this Order pursuant to paragraph 1. The Bureau may file a reply memorandum to any opposition within 14 days after ECMC has filed any opposition.

6. At the show-cause hearing, only those issues brought into controversy by the responsive pleadings and factual allegations supported by the declaration of Maxwell Peltz will be considered. Any uncontested allegation in the Petition will be considered admitted.

7. Respondent may notify the Court, in writing filed with the Clerk and served on counsel for the Bureau, at least 14 days before the date set for the show-cause hearing, that ECMC has no objection to enforcement of the CIDs. ECMC's appearance at the hearing will then be excused.

Dated: June 16, 2021

s/David T. Schultz  
DAVID T. SCHULTZ  
U.S. Magistrate Judge